

RECEIVED**BIRMINGHAM****SEP 28 2006****JOHN E. BYRD**

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September 25, 2006

LAW OFFICES OF

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DOTHAN, ALABAMA 36302

Honorable Craig A. Alexander
Rumberger Kirk & Caldwell
Lakeshore Park Plaza, Suite 125
2204 Lakeshore Drive
Birmingham, Alabama 35209-6739

RE: Lattime Construction v. CenturyTel Service Group, L.L.C., et al
District Court Alabama, Southern Division
CASE NO.: 1:05-CV-1062-F

Dear Craig:

In accordance with the Court's Uniform Scheduling Order, please be advised that I am reporting to you by this letter all requirements of said order for reports by October 24, 2006. I have to be out of town October 23-26, 2006.

At this time, I do not anticipate any filings under Section 2. of said order. Under Section 8. of said order, I do expect to call the following persons I have previously identified to you and who I expect to present evidence at the trial under Rule 701, 702, 703 and 705 of the Federal Rules of Evidence:

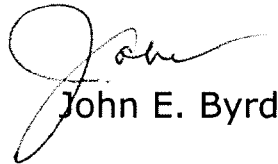
1. Rick Lattime, 203 Dempsey Court, Dothan, Alabama. I expect this lay witness will give opinion testimony about the effect on his business of the failure of Defendants to place the contracted for advertisements in the 2003 Centurytel telephone directory for Dothan, Alabama and surrounding areas. It is possible that he could be used as an expert witness in the area of his work, training and experience as it relates to the facts claimed in this case.

2. I also expect Earl Jernigan, CPA, 518 Bob Hall Road, P. O. Box 2224, Dothan, AL 36302, (334) 697-1663 to testify as an expert witness in this case. He has made no formal report regarding his testimony. He will testify as to the tax returns of Plaintiff for the years 2003, 2004, and 2005.

If there is any other information I need to furnish you regarding these witnesses or the October 24 deadline in the Uniform Scheduling Order, please let me know.

Best wishes and kindest regards.

Very truly yours,

A handwritten signature in black ink, appearing to read "John E. Byrd", with a large, stylized initial "J" and a horizontal line extending to the right.

JEB/th